

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number		10661641
Filing Date		2003-09-15
First Named Inventor	Burke T. Barrett	
Art Unit	3762	
Examiner Name	Scott M. Getzow	
Attorney Docket Number	1000.026	

U.S. PATENTS
[Remove](#)

Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	5861014		1999-01-19	Familoni	
	2	5836994		1997-11-17	Bourgeois	
	3	5611350		1997-03-18	John	
	4	5571150		1996-11-05	Wernicke, et al.	
	5	5540734		1996-07-30	Zabara	
	6	5540730		1996-07-30	Terry, Jr., et al.	
	7	5423872		1995-06-13	Cigaina	
	8	5299569		1994-04-05	Wernicke, et al.	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number		10661641
Filing Date		2003-09-15
First Named Inventor	Burke T. Barrett	
Art Unit		3762
Examiner Name	Scott M. Getzow	
Attorney Docket Number		1000.026

9	5263480		1993-11-23	Wernicke, et al.	
10	5199430		1993-04-06	Fang, et al.	
11	5188104		1993-02-23	Wernicke, et al.	
12	5025807		1991-06-25	Zabara	
13	4867164		1989-09-19	Zabara	
14	4702254		1987-10-27	Zabara	

If you wish to add additional U.S. Patent citation information please click the Add button.

Add

U.S.PATENT APPLICATION PUBLICATIONS

Remove

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20050131486		2005-06-16	Boveja, et al.	
	2	20050049655		2005-03-03	Boveja, et al.	
	3	20050004621		2005-01-06	Boveja, et al.	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number		10661641
Filing Date		2003-09-15
First Named Inventor	Burke T. Barrett	
Art Unit		3762
Examiner Name	Scott M. Getzow	
Attorney Docket Number		1000.026

	4	20050154425		2005-07-14	Boveja, et al.	
	5	20030236558		2003-12-25	Whitehurst, et al.	
	6	20050192644		2005-09-01	Boveja, et al.	
	7	20060079936		2006-04-13	Boveja	
	8	20040172094		2004-09-02	Cohen, et al.	
	9	20050131485		2005-06-16	Knudson, et al.	
	10	20050038484		2005-02-17	Knudson, et al.	
	11	20040172088		2004-09-02	Knudson, et al.	
	12	20040167583		2004-08-26	Knudson, et al.	
	13	20040172085		2004-09-02	Knudson, et al.	
	14	20040176812		2004-09-09	Knudson, et al.	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	10661641
Filing Date	2003-09-15
First Named Inventor	Burke T. Barrett
Art Unit	3762
Examiner Name	Scott M. Getzow
Attorney Docket Number	1000.026

15	20040172091		2004-09-02	Rezai	
16	20030181954		2003-09-25	Rezai	
17	20020151939		2002-10-17	Rezai	

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	2004036377	WO	A2	2004-04-29	Osorio, et al.		<input type="checkbox"/>
	2	2005007120	WO	A2	2005-01-27	Lesser		<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1	BACHMAN, D.S, et al., "Effects of Vagal Volleys and Serotonin on Units of Cingulate Cortex in Monkeys," Brain Research, 130 (1977) 253-269	<input type="checkbox"/>
	2	ELGER, G., et al., "Vagus Nerve Stimulation is Associated with Mood Improvements in Epilepsy Patients," Epilepsy Research 42 (2000) 203-210	<input type="checkbox"/>

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number		10661641
Filing Date		2003-09-15
First Named Inventor	Burke T. Barrett	
Art Unit		3762
Examiner Name	Scott M. Getzow	
Attorney Docket Number		1000.026

3	FISHER, R.S., et al., "Reassessment: Vagus Nerve Stimulation for Epilepsy," Neurology Vol. 53 (September 1999) 666-669	<input type="checkbox"/>
4	HALLOWITZ, R.A., et al., "Effects of Vagal Volleys on Units of Intralaminar and Juxtalaminar Thalamic Nuclei in Monkeys," Brain Research 130 (1977) 271-286	<input type="checkbox"/>
5	HENRY, T.R., "Therapeutic Mechanisms of Vagus Nerve Stimulation," Neurology 59 (Suppl.4) (September 2002) S3-S14	<input type="checkbox"/>
6	KRAHL, S.E., et al., "Destruction of Peripheral C-Fibers Does Not Alter Subsequent Vagus Nerve Stimulation-Induced Seizure Suppression in Rats," Epilepsia 42(5): 586-589 (2001)	<input type="checkbox"/>
7	LABAR, D., et al., "Vagus Nerve Stimulation for Medication-Resistant Generalized Epilepsy," Neurology 52 (April 1999) 1510-1512	<input type="checkbox"/>
8	LOCKARD, J.S., et al., "Feasibility and Safety of Vagal Stimulation in Monkey Model," Epilepsia 31 (Suppl.2): S20-S26 (1990)	<input type="checkbox"/>
9	ROSENBAUM, J., et al., "Vagus Nerve Stimulation for Treatment-Resistant Depression," Society of Biological Psychiatry, Vol. 47, No. 4 (February 15, 2000)	<input type="checkbox"/>
10	SALINSKY, M.C., et al., "Vagus Nerve Stimulation for the Treatment of Medically Intractable Seizures," Arch Neurol. Vol. 53 (November 1996) 1176-1179	<input type="checkbox"/>
11	SCHACHTER, S.C. and Schmidt D., eds. "Vagus Nerve Stimulation," Martin Dunitz Ltd., Publisher, London (2001) pp. 1-101	<input type="checkbox"/>
12	TERRY, R.S., et al., "The Implantable Neurocybernetic Prosthesis System," Pacing and Clinical Electrophysiology, Vol. 14, No. 1 (January 1991) 86-93	<input type="checkbox"/>
13	VONCK, K., et al., "The Mechanism of Action of Vagus Nerve Stimulation for Refractory Epilepsy," Journal of Neurophysiology, Vol. 18, No. 5 (September 2001) 394-401	<input type="checkbox"/>

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		10661641
	Filing Date		2003-09-15
	First Named Inventor	Burke T. Barrett	
	Art Unit	3762	
	Examiner Name	Scott M. Getzow	
	Attorney Docket Number	1000.026	

14	WOODBURY, J.W., et al., "Vagal Stimulation Reduces the Severity of Maximal Electroshock Seizures in Intact Rats: Use of Cuff Electrode for Stimulating and Recording," PACE, Vol. 14 (January 1991) 94-107	<input type="checkbox"/>
15	ZABARA, J., et al., "Inhibition of Experimental Seizures in Canines by Repetitive Vagal Stimulation," Epilepsia 33 (6):1005-1012 (1992)	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

EXAMINER SIGNATURE

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	10661641
Filing Date	2003-09-15
First Named Inventor	Burke T. Barrett
Art Unit	3762
Examiner Name	Scott M. Getzow
Attorney Docket Number	1000.026

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☒ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Carol G. Mintz/	Date (YYYY-MM-DD)	2006-09-20
Name/Print	Carol G. Mintz	Registration Number	38561

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.